

Published Agenda



Tuesday, August 6, 2024
5:00 PM

City Council
Tuesday Meeting Agenda

Council Chambers
200 Forrest Street

Call to Order

Call to Prayer and Pledge of Allegiance

Presentation Agenda

Agenda Adjustments - add to Routine Item #12, claims docket at the request of the Administration as follows:

R#12. 2024-367 Invoice payable to Twin Forks Rising, in the amount of \$12,000.00 for Mobile Street Festival.

POLICY AGENDA

1. 2024-334 Approve the minutes for the July 15, 16 & 31, 2024 meetings of the City Council.
2. 2024-174 Approve a request to alter the platted subdivision known as “Sutherland and Reeves Survey” to subdivide the property located at 209 S 13th Avenue into two lots to create two single-family lots, Zoned R-1C as requested by Tripperlee, LLC. owner, (PPIN 24175, Ward 4, Forrest County). The Planning Commission recommended to deny.
- 2-A 2024-258 Take from the table; Approve a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant (PPIN 30851, Ward 3, Lamar County). The Board of Adjustment recommended approval on July 3rd, 2024.
3. 2024-322 Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.
4. 2024-324 Adopt a Resolution setting Public Hearing on Tuesday, September 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.
5. 2024-304 Adopt a Resolution declaring certain equipment as surplus and authorizing the disposal of said vehicles and removal of said equipment from the inventory of the Public Works Department.
6. 2024-345 Adopt a Resolution obligating American Rescue Plan Act (ARPA) funds for paving and street repairs as a provision of government services.
7. 2024-350 Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 26330 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Brewskys Property, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.
8. 2024-352 Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 35226 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Dearcom Holdings, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.
9. 2024-353 Adopt a Resolution declaring a portion of Lamar County Parcels PPIN 18699 and 31880 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Chers 4th Street, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.
10. 2024-354 Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 31827 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to PRC Properties, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.
11. 2024-355 Adopt a Resolution declaring a portion of Forrest County Parcels PPIN 31828 and 37137 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Bedi Investments, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.
12. 2024-325 Adopt an amended Resolution determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; authorize the Mayor to execute any and all documents required to complete the transactions and authorize issuance of manual checks.
13. 2024-321 Approve a Memorandum of Agreement with the Mississippi Department of Transportation for the Edwards Street Pedestrian Improvements project (STP-7191-00(002)LPA/109560-701000) and authorize the Mayor to execute in duplicate.
14. 2024-326 Approve Amendment No. 1 with the Natural Resources Conservation Service for the Emergency Watershed Protection Program Project No. DSR 28-04-23-5319-314 for bank stabilization along areas of Gordon’s Creek and authorizing the Mayor to execute the same.
15. 2024-351 Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi and related services for a term beginning August 1, 2024, and ending July 31, 2025, in the amount of \$95,652.00 and authorize the Mayor to execute the same.

- 16. 2024-320 Approve an Agreement between Intevacon and the City of Hattiesburg for a software subscription for the management of fuel cards for the City of Hattiesburg and authorize the Mayor to execute the same.
- 17. 2024-319 Approve a Renewal Agreement between the City of Hattiesburg and UKG (Kronos) for the workforce employee timekeeping software for a period beginning September 30, 2024, and ending September 29, 2025 and authorize the Mayor to execute the same.
- 18. 2024-343 Approve a Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertising as outlined in the attached agreement, in accordance with Mississippi Code § 17-3-1, in the amount of 10,000.00 issuance of a manual check and authorize the Mayor to execute the same.
- 19. 2024-344 Approve a Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement as outlined in the attached agreement, in accordance with Mississippi Code § 17-3-1, in the amount of 15,000.00, issuance of a manual check and authorize the Mayor to execute the same.

ROUTINE AGENDA

- 1. 2024-317 Ratification of acceptance of award from the Mississippi Department of Wildlife, Fisheries, and Parks for the 2024-2025 Youth Participation Initiative Program in the amount of \$2,473.31.
- 2. 2024-349 Ratification of an executed grant application submitted to the Federal Aviation Administration for the FY 2025 Airport Terminal Program.
- 3. 2024-323 Acknowledge receipt of an appeal request by Douglas Miller, owner, to the Planning Commission's recommendation to deny a request to requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The property in question is located at 408 Broadway Drive, PPIN 21766 (Forrest, County, Ward 4) and set a public hearing for September 3rd, 2024.
- 4. 2024-307 Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule received from the Mississippi Department of Revenue and adopt the same for the City of Hattiesburg for the fiscal year beginning October 1, 2024, and ending September 30, 2025; authorize publication of public notice setting a hearing for September 3, 2024, before council to hear complaints or objections to the adoption of the Motor Vehicle Assessment Schedule.
- 5. 2024-337 Acknowledge the final version of the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize submission to the U.S. Department of Housing and Urban Development (HUD).
- 6. 2024-305 Acknowledge receipt of bids on June 6, 2024, for various term bids for the Water and Sewer Department, and accept the term bids as per recommendation per attached memo.
- 7. 2024-266 Acknowledge receipt of the two-quote docket.
- 8. 2024-347 Authorize submission of grant application to the Mississippi Arts Commission (MAC) FY25 Building Fund for the arts.
- 9. 2024-363 Set a public hearing on the proposed budget and proposed tax levies for fiscal year 2025 for 5:30 p.m. Tuesday, September 3, 2024, in Council Chambers at City Hall; Authorize publication of Notice of Public Hearing.
- 10. 2024-336 Approve the City's purchase of (6) grave spaces located in Section 16, Lot 55, South Half (S 1/2), and Northeast Quarter (NE 14) at Highland Cemetery, Minute Book# 19, Page 167, in the amount of 300.00 from Patricia A. Darling, Authorize manual check for the same.
- 11. 2024-335 Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.
- 12. 2024-306 Approve claims docket for the period ending July 31, 2024.

In Memoriam:

- Mrs. Betty Jean Slay Bradley
- Mr. Charles Dempsey Parker
- Ms. Annie Grace Henderson
- Mrs. Ruby Joyce Sanford Craft
- Ms. Annie Grace Henderson
- Dr. Dorothy Gillespie
- Ms. Jacqueline McBride
- Supt. Reuben McSwain, Sr.
- Mr. Perry Delgado
- Ms. Kaffie Ann Robinson

Meeting Adjourn

Call to Order

BE IT REMEMBERED that the **regular meeting of the Hattiesburg City Council was held at 5:00 p.m. Tuesday, August 6, 2024**, in Council Chambers at City Hall; same being from a recessed meeting held on August 5, 2024.

Those present included Mayor Toby Barker (in at 5:02 p.m.) and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Dave Ware, Ward 4; and Nicholas Brown, Ward 5. Other in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy; City staff members; media; and the public. Absent: Deputy Clerk of Council, Lisa Luu Jolly.

Council President George Called the meeting to order.

Call to Prayer and Pledge of Allegiance

The prayer was given by Malcolm Berch.

The Pledge of Allegiance was led by Kermas Eaton.

Presentation Agenda

The PRESENTATION AGENDA came before the Council.

There were no presentations at this time.

Agenda Adjustments

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Add to Routine Item #12, claims docket at the request of the Administration as follows:

R-12. 2024-367 Invoice payable to Twin Forks Rising, in the amount of \$12,000.00 for the Mobile Street Festival.
Attachments: Invoice - Mobile Street Festival

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

THE MATTER OF THE AGENDA ORDER came before the Council.

POLICY AGENDA

The POLICY AGENDA came before the Council.

1. 2024-334 Approve the minutes for the July 15, 16 & 31, 2024 meetings of the City Council.
Attachments: 07-16-2024 Mins.
 07-31-2024 SC Mins.
 07-15-2024 AR, BP Mins.

A MOTION was made by Council Member Brown and seconded by Council Member Carroll to Approve the minutes for the July 15, 16 & 31, 2024 meetings of the City Council.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

2. **2024-174** Approve a request to alter the platted subdivision known as “Sutherland and Reeves Survey” to subdivide the property located at 209 S 13th Avenue into two lots to create two single-family lots, Zoned R-1C as requested by Tripperlee, LLC. owner, (PPIN 24175, Ward 4, Forrest County). The Planning Commission recommended to deny.

Attachments: D1 - Staff Summary - 209 S 13th Ave
 D2 Image Sheet - 209 S 13th Ave
 PH Application 209 S 13th Ave - Tripperlee, LLC
 Statement by Applicant
 Exhibit D-1 - proposed housing design
 Appeal File
 MINUTES June HPC

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Approve a request to alter the platted subdivision known as “Sutherland and Reeves Survey” to subdivide the property located at 209 S 13th Avenue into two lots to create two single-family lots, Zoned R-1C as requested by Tripperlee, LLC.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

- 2-A **2024-258** Take from the table; Approve a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant (PPIN 30851, Ward 3, Lamar County). The Board of Adjustment recommended approval on July 3rd, 2024.
 [TABLED]

Attachments: A1 - Staff Summary - Big Chicken
 A1 - Image Sheet - Big Chicken
 PH Application with variance application
 Warranty Deed
 BIG CHICK POLE SIGN - site plan

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Take from the table; a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Table a variance request from the minimum required frontage of 150 ft for a pole sign for a B-5 zoned property to instead allow for a 93 ft frontage on a property located at 6054 Hwy 98 Hardy Street, as requested by Joel Ford, applicant; until the next City Council meeting (August 20, 2024) based upon the developer's request.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

- 3. **2024-322** Adopt Resolutions adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

Attachments: Adjudication Memo 08/06/2024
 1. 102 Short Railroad St Adjudication Resolution Pages
 2. 134 Ruby Ave Adjudication Resolution Pages
 3. 203 5th Ave Adjudication Resolution Pages
 4. 237 (241) Short Columbia St Adjudication Resolution Pages
 5. 312 W 4th St Adjudication Resolution Pages
 6. 505 Mobile St Adjudication Resolution Pages
 7. 6563 Hwy 49 Adjudication Resolution Pages

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt Resolutions (#2024-91-97) adjudicating and directing the placement as an assessment for the cleanup costs and applicable penalties, not to exceed the values prescribed by State law, against the following properties.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

- 4. **2024-324** Adopt a Resolution setting Public Hearing on Tuesday, September 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

Attachments: Request to Set Public Hearing –CE 08 06 2024
 Set Public Hearing Resolution Pages - CE 08 06 2024

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Adopt a Resolution (#2024-98) setting Public Hearing on Tuesday, September 3rd, 2024 at 4:00 p.m. in the City Council Chambers located at City Hall to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

- 5. **2024-304** Adopt a Resolution declaring certain equipment as surplus and authorizing the disposal of said vehicles and removal of said equipment from the inventory of the Public Works Department.

Attachments: Resol.surplus equipment
 Equipment

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-99) declaring certain equipment as surplus and authorizing the disposal of said vehicles and removal of said equipment from the inventory of the Public Works Department.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown
Nays: 0

- 6. **2024-345** Adopt a Resolution obligating American Rescue Plan Act (ARPA) funds for paving and street repairs as a provision of government services.

Attachments: Resolution Authorizing MLK Street Paving
 Exhibit A - Procurement Documentation

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-100) obligating American Rescue Plan Act (ARPA) funds for paving and street repairs as a provision of government services.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

7. **2024-350** Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 26330 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Brewskys Property, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

Attachments: Offer Resolution 26330

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-101) declaring a portion of Forrest County Parcel PPIN 26330 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Brewskys Property, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

8. **2024-352** Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 35226 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Dearcom Holdings, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

Attachments: Offer Resolution PPIN 35226

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-102) declaring a portion of Forrest County Parcel PPIN 35226 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Dearcom Holdings, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

9. **2024-353** Adopt a Resolution declaring a portion of Lamar County Parcels PPIN 18699 and 31880 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Chers 4th Street, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

Attachments: Offer Resolution PPIN 18699 & 31880

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-103) declaring a portion of Lamar County Parcels PPIN 18699 and 31880 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Chers 4th Street, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

10.

2024-354

Adopt a Resolution declaring a portion of Forrest County Parcel PPIN 31827 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to PRC Properties, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

Attachments: [Offer Resolution PPIN 31827](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-104) declaring a portion of Forrest County Parcel PPIN 31827 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to PRC Properties, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

11.

2024-355

Adopt a Resolution declaring a portion of Forrest County Parcels PPIN 31828 and 37137 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Bedi Investments, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

Attachments: [Offer Resolution PPIN 31828 & 37137](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt a Resolution (#2024-105) declaring a portion of Forrest County Parcels PPIN 31828 and 37137 necessary for public use, establishing just compensation, and authorizing the Mayor to make a fair market value offer to Bedi Investments, LLC related to the 4th Street Pathway Project and authorize issuance of a manual check.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

12.

2024-325

Adopt an amended Resolution determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; authorize the Mayor to execute any and all documents required to complete the transactions and authorize issuance of manual checks.

Attachments: [Amended Resolution - Innswood Drainage Waiver Valuation](#)

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Adopt an amended Resolution (#2024-106) determining waiver valuations and just compensation for certain real properties with low fair market values to be acquired in connection with the Innswood Drainage Phase 1 project; authorize the Mayor to execute any and all documents required to complete the transactions and authorize issuance of manual checks.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

13. **2024-321** Approve a Memorandum of Agreement with the Mississippi Department of Transportation for the Edwards Street Pedestrian Improvements project (STP-7191-00(002)LPA/109560-701000) and authorize the Mayor to execute in duplicate.

Attachments: 109560 - MOA Letter only - Edwards Street - Hattiesburg
109560 - MOA - Edwards Street - Hattiesburg_unexecuted

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to Approve a Memorandum of Agreement with the Mississippi Department of Transportation for the Edwards Street Pedestrian Improvements project (STP-7191-00(002)LPA/109560-701000) and authorize the Mayor to execute in duplicate.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

14. **2024-326** Approve Amendment No. 1 with the Natural Resources Conservation Service for the Emergency Watershed Protection Program Project No. DSR 28-04-23-5319-314 for bank stabilization along areas of Gordon's Creek and authorizing the Mayor to execute the same.

Attachments: NRCS Hattiesburg Amend 1 Gordons Creek Ph1
Amendment No. 1 with NRCS for emergency watershed protection program - Gordon's Creek bank stabilization

A MOTION was made by Council Member Delgado and seconded by Council Member Carroll to Approve Amendment No. 1 with the Natural Resources Conservation Service for the Emergency Watershed Protection Program Project No. DSR 28-04-23-5319-314 for bank stabilization along areas of Gordon's Creek and authorizing the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

15. **2024-351** Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi and related services for a term beginning August 1, 2024, and ending July 31, 2025, in the amount of \$95,652.00 and authorize the Mayor to execute the same.

Attachments: USM Fire Protection Agreement 2024

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a Fire Protection Agreement between the City of Hattiesburg and the University of Southern Mississippi and related services for a term beginning August 1, 2024, and ending July 31, 2025, in the amount of \$95,652.00 and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

16. **2024-320** Approve an Agreement between Intevacon and the City of Hattiesburg for a software subscription for the management of fuel cards for the City of Hattiesburg and authorize the Mayor to execute the same.

Attachments: Intevacon Proposal for City of Hattiesburg 6.14.24

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve an Agreement between Intevacon and the City of Hattiesburg for a software subscription for the management of fuel cards for the City of Hattiesburg and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

17. **2024-319** Approve a Renewal Agreement between the City of Hattiesburg and UKG (Kronos) for the workforce employee timekeeping software for a period beginning September 30, 2024, and ending September 29, 2025 and authorize the Mayor to execute the same.

Attachments: 2024-2025 Renewal agreement- Kronos

A MOTION was made by Council Member Carroll and seconded by Council Member Brown to Approve a Renewal Agreement between the City of Hattiesburg and UKG (Kronos) for the workforce employee timekeeping software for a period beginning September 30, 2024, and ending September 29, 2025 and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

18. **2024-343** Approve a Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertising as outlined in the attached agreement, in accordance with Mississippi Code § 17-3-1, in the amount of 10,000.00 issuance of a manual check and authorize the Mayor to execute the same.

Attachments: AD. CONTRACTUAL AGREEMENT BETWEEN HBURG HIGH BOOSTER CLUB

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve a Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School Athletic Booster Club for advertising as outlined in the attached agreement, in accordance with Mississippi Code § 17-3-1, in the amount of 10,000.00 issuance of a manual check and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

19. **2024-344** Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 15,000.00, issuance of a manual check, and authorize the Mayor to execute the same.

Attachments: CONTRACTUAL AGREEMENT BETWEEN CITY AND HPSD

A MOTION was made by Council Member Delgado and seconded by Council Member Brown to Approve Sponsorship Agreement between the City of Hattiesburg and the Hattiesburg Public School District for advertisement sponsorship as outlined in the attached agreement, in accordance with Mississippi 17-3-1, in the amount of 15,000.00, issuance of a manual check, and authorize the Mayor to execute the same.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

ROUTINE AGENDA

THE ROUTINE AGENDA came before the Council.

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado to approve the Routine Agenda.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

1. **2024-317** Ratification of acceptance of award from the Mississippi Department of Wildlife, Fisheries, and Parks for the 2024-2025 Youth Participation Initiative Program in the amount of \$2,473.31.

 Attachments: Award Letter
 Hattiesburg Parks and Rec Youth Archery Agreement

2. **2024-349** Ratification of an executed grant application submitted to the Federal Aviation Administration for the FY 2025 Airport Terminal Program

 Attachments: HBG ATP Application 2024.07.31

3. **2024-323** Acknowledge receipt of an appeal request by Douglas Miller, owner, to the Planning Commission's recommendation to deny a request to requests to appeal section 11.7 the decision of the Urban Development Director on the request for interpretation of the intent or the meaning of the provisions of the Land Development Code. The request is specifically for the definition of a Congregate Care and/or Church instead of a Group facility. The property in question is located at 408 Broadway Drive, PPIN 21766 (Forrest, County, Ward 4) and set a public hearing for September 3rd, 2024.

 Attachments: Lighthouse Appeal of July 2024 Decision

4. **2024-307** Acknowledge receipt of Notice of Adoption of the Motor Vehicle Assessment Schedule received from the Mississippi Department of Revenue and adopt the same for the City of Hattiesburg for the fiscal year beginning October 1, 2024, and ending September 30, 2025; authorize publication of public notice setting a hearing for September 3, 2024, before council to hear complaints or objections to the adoption of the Motor Vehicle Assessment Schedule.

 Attachments: 2024 2025 Uniform Assessment Schedule FINAL 5.6.24
 MOTOR VEHICLE.DOC 2024-2025

5. **2024-337** Acknowledge the final version of the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

 Attachments: 2023 Hattiesburg CAPER - 7.29.24

6. **2024-305** Acknowledge receipt of bids on June 6, 2024, for various term bids for the Water and Sewer Department and accept the term bids as per recommendation per attached memo.

 Attachments: #6 Term Bid
 #7 Term Bid
 #8 Term Bid
 #17 Term Bid
 #21 Term Bid
 #23 Term Bid
 Memo

7. **2024-266** Acknowledge receipt of the two-quote docket.

 Attachments: August 7 2024 Agenda

8. **2024-347** Authorize submission of grant application to the Mississippi Arts Commission (MAC) FY25 Building Fund for the arts.

 Attachments: QuestionList

9. **2024-363** Set a public hearing on the proposed budget and proposed tax levies for fiscal year 2025 for 5:30 p.m. Tuesday, September 3, 2024, in Council Chambers at City Hall; Authorize publication of Notice of Public Hearing.

 Attachments: Notice of Public Hearing on Budget Tax Levy FY2025

10. **2024-336** Approve the City's purchase of (6) grave spaces located in Section 16, Lot 55, South Half (S 1/2), and Northeast Quarter (NE 14) at Highland Cemetery, Minute Book# 19, Page 167, in the amount of 300.00 from Patricia A. Darling, Authorize manual check for the same.

 Attachments: Buy Back (Patricia A Darling (08-06-2024)

11. **2024-335** Approve the sale of grave spaces per attached, Memo's, Receipts and Deeds.

 Attachments: Memos (08-06-2024)
 Receipts (08-06-2024)
 Deeds (08-06-2024)

12. **2024-306** Approve claims docket for the period ending July 31, 2024.

 Attachments: DOCKET 24.07.31
 DT 24.07.31

Executive Session

A MOTION was made by Council Vice President Ware for the Council to enter closed session to determine the need to enter Executive Session at 5:13 p.m.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

Council President George asked for the Chambers to be cleared at this time.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to enter Executive Session to discuss strategy or negotiations with respect prospective litigation, since to have an open meeting on this would have a detrimental effect on the litigating position of the City, in accordance with Mississippi Code Section 25-41-7 (b) at 5:14 p.m.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

The City Attorney stepped out into the hall and announced that the Council had gone into Executive Session to discuss strategy or negotiations with respect to prospective litigation.

Those present for the Executive Session were Mayor Toby Barker; Council members Jeffrey George, Deborah Delgado, Carter Carroll, Dave Ware and Nicholas Brown; Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Chief Administrative Officer, Ann Jones; Chief Financial Officer, Malcolm Berch; Police

Chief, Hardy Sims; Director of Engineering and Transportation, Marybeth Bergin; Director of Urban Development, Wiley Quinn; Director of Parks and Recreation, Betsy Mercier; Director of Public Works, Ronnie Perkins; Chief Communications Officer, John Arender; and Clerk of Council, Ronda Kennedy.

A MOTION was made by Council Member Carroll and seconded by Council Member Delgado exit Executive Session and re-open the meeting to the public at 5:32 p.m.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

Council President George stated to the public that there was no action taken during Executive Session.

A MOTION was made by Council Vice President Ware and seconded by Council Member Carroll to Add Resolution declaring Zo's Corna as a public nuisance.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

20. **2024-409** Adopt a Resolution authorizing the City Attorney to bring action in Forrest County Chancery Court to abate the public nuisance operating as Zo's Corna.

Attachments: Resolution - Zos Corna, Public Nuisance

A MOTION was made by Council Vice President Ware and seconded by Council Member Brown to Adopt a Resolution (#2024-107) authorizing the City Attorney to bring action in Forrest County Chancery Court to abate the public nuisance operating as Zo's Corna.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Ware and Brown

Nays: 0

In Memoriam:

A MOTION was made by Council President George to Adjourn the meeting in memory of:

- Mrs. Betty Jean Slay Bradley
- Mr. Charles Dempsey Parker
- Ms. Annie Grace Henderson
- Mrs. Ruby Joyce Sanford Craft
- Dr. Dorothy Gillespie
- Ms. Jacqueline McBride
- Supt. Reuben McSwain, Sr.
- Mr. Perry Delgado
- Ms. Kaffie Ann Robinson

Meeting Adjourn

Council President George declared the meeting adjourned at 5:35 p.m., this 6th day of August, 2024, by unanimous consent, until the 19th day of August, 2024.

ATTEST:

APPROVE:

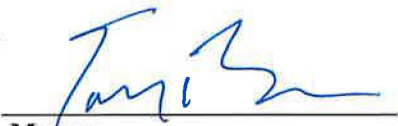

Clerk of Council


Council President

ATTEST AND CERTIFY:

APPROVE:


City Clerk


Mayor